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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 v.

18 HOLMES et al,

19 Defendants.

20 Case No. 2:20-mj-00902-DJA

21 **ORDER [TO CONTINUE  
22 PRELIMINARY HEARING  
23 (Second Request)]**

24 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.  
25 Trutanich, United States Attorney, and Jim W. Fang, Assistant United States Attorney, counsel  
26 for the United States of America, and Rene L. Valladares, Federal Public Defender, and Kathryn  
1 C. Newman, Assistant Federal Public Defender, counsel for Joseph Holmes, and Daniel Hill,  
2 counsel for Emilio Rochester, that the Preliminary Hearing currently scheduled on January 11,  
3 2021, be vacated and continued to a date and time convenient to the Court, but no sooner than  
4 sixty (60) days.

5 This Stipulation is entered into for the following reasons:

6 1. Parties have entered negotiations and need the additional time to resolve this  
7 matter.

2. The government is in the process of producing discovery, which will allow the defendants to evaluate the case against them, and, if necessary, prepare for the preliminary hearing.

3. The defendants are not incarcerated and do not object to a continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

This is the second request for continuance filed herein.

DATED this 4th day of January, 2021.

RENE L. VALLADARES  
Federal Public Defender

NICHOLAS A. TRUTANICH  
United States Attorney

By */s/ Kathryn C. Newman*

By */s/ Jim W. Fang*

KATHRYN C. NEWMAN  
Assistant Federal Public Defender

JIM W. FANG  
Assistant United States Attorney

/s/ *Daniel Hill*  
By \_\_\_\_\_

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
HOLMES et al.,  
Defendant.

Case No. 2:20-mj-00902-DJA

## **ORDER**

HOLMES et al,

Defendant.

Based on the Stipulation of counsel and good cause appearing,

IT IS THEREFORE ORDERED that the Preliminary Hearing currently scheduled on January 11, 2021 at the hour of 4:00 p.m., be vacated and continued to \_\_\_\_\_ March 15, 2021, at 4:00 p.m. in Courtroom 3A. 

DATED this 5th day of January, 2021.

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DANIEL J. ALBREGTS, U.S. Magistrate Judge